

**AGENDA FOR THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR WEDNESDAY, DECEMBER 30, 2015**

**1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:**

**January 8, 2016 @ 9:30 a.m.:**

- a. Boston Billiard Club, 55 Northeastern Blvd., Nashua, NH.  
Billiards/Pool Hall/Sports Entertainment License #6012305 licensed pursuant to RSA 178:22, V(t)/RSA 178:22, V(u)(1).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: August 14, 2015.  
Case #: 15-325-OF.

**January 22, 2016 @ 9:30 a.m.:**

- b. Keith Murphy's Taproom, 494 Elm Street, Manchester, NH.  
Restaurant Full Service With Lounge License #1333403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.  
Date of violation: October 16, 2015.  
Case #: 15-412-OF.

**January 22, 2016 @ 10:30 a.m.:**

- c. American Legion Post 31, 11 Charles Street, Penacook, NH.  
Veterans Club License #18039 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: May 9, 2015.  
Case #: 15-181-OF.  
ASSENTED-TO MOTION TO CONTINUE FILED BY LICENSEE; MOTION GRANTED.

**January 22, 2016 @ 11:00 a.m.:**

- d. Crazy Camel, 245 Maple Street, Unit #1, Manchester, NH.  
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402006 licensed pursuant to RSA 178:20-a.  
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.  
Date of violation: February 24, 2015. Case #: 15-65-OF.

**January 22, 2016 @ 11:30 p.m.:**

- e. Alburritos Mexican Restaurant, 406 Union Street, Littleton, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1398503 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: March 13, 2015.  
Case #: 15-153-OF.  
ASSENTED-TO MOTION TO CONTINUE FILED BY THE LICENSEE AND GRANTED; NEW HEARING DATE IS 1/22/16 @ 11:30 A.M.

**2. NOTIFICATION OF DISCIPLINARY ACTION:**

New Campus Convenience, 32 Main Street, Durham, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3229147 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.

Date of violation: August 28, 2015.

Case #: 15-340-OF.

An administrative fine of \$1,500 with \$1,000 held in abeyance for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing January 6, 2016 with re-grant on January 9, 2016.

**LICENSEE TO APPEAR BEFORE THE COMMISSION AT THIS MEETING.**

**3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:**

- a. A&J Beverage Distribution, 41 Industrial Drive, Unit 9, Exeter, NH.  
Carrier-Beverage/Wine/Liquor License #743416 licensed pursuant to RSA 178:14.  
Cited for violation of RSA 179:50, II – allowed the premise to be used for a purpose contrary to law.  
Date of violation: December 16, 2015.  
Case #: 15-473-OF.  
\$250 administrative fine paid.
- b. Castaways Harborside Seafood & Grill, 209 Ocean Blvd., Seabrook, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1377303 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 178:21, II, (a)(2) – failed to be open for evening meals five days a week.  
Date of violation: November 19, 2015.  
Case #: 15-450-OF.  
\$100 administrative fine paid.
- c. Dumpling Palace, 44 Nashua Road #25, Londonderry, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1500403 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.  
Date of violation: December 10, 2015.  
Case #: 15-470-OF.  
\$250 administrative fine paid.
- d. Fire & Ice Hookah Lounge, 990 Elm Street, Manchester, NH.  
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #403106 licensed pursuant to RSA 178:20-a.  
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.  
Date of violation: November 21, 2015.  
Case #: 15-447-OF.  
\$250 administrative fine paid.
- e. Fraternal Order Of Eagles, 115 Church Street, Keene, NH.  
Social Club License #20701 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 178:22, V(h)(1) – failed to file club financial report by the 15<sup>th</sup> of the following month.  
Date of violation: December 2, 2015.  
Case #: 15-457-OF.  
\$100 administrative fine paid.
- f. Golden Palace, 321 Nashua Street, Milford, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1506703 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.

Date of violation: December 8, 2015.

Case #: 15-466-OF.

\$250 administrative fine paid.

- g. Old Waterville Pizza Co., Village Road, Waterville Valley, NH.  
Restaurant Full Service With Lounge License #1177903 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 178:21 – failed to have wait staff provide table service.  
Date of violation: November 19, 2015.  
Case #: 15-444-OF.  
\$100 administrative fine paid.
- h. Rimmon Club, 595 Dubuque Street, Manchester, NH.  
Social Club License #12001 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 178:22, V(h)(1) – failed to file club financial report by the 15<sup>th</sup> of the following month.  
Date of violation: November 13, 2015.  
Case #: 15-436-OF.  
\$100 administrative fine paid.

**4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. Aito LLC DBA Wing-Itz, 2100 Lafayette Road, Portsmouth, NH 03801.  
To be issued Restaurant On-Premise Beverage and Wine License #1521203 pursuant to RSA 178:20.  
30-Day Temporary License issued: 12/23/2015.
- b. Arkay Provisions LLC, 148 State Street, Portsmouth, NH 03801.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3338547  
pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued: 12/17/2015.
- c. Bretton Woods Market & Deli, Inc., 2267 Route 302 East, Bretton Woods, NH 03575.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3339147  
pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued: 12/21/2015.
- d. La Fiesta Mexico Restaurante & Cantina, Inc., 300 South Willow Street, Manchester, NH 03103.  
To be issued Restaurant On-Premise Cocktail Lounge License #1518903 pursuant to RSA 178:22.  
30-Day Temporary License issued: 12/23/2015.
- e. Liberty Restaurant Group LLC DBA Beal House Inn and Restaurant,  
2 West Main Street, Littleton, NH 03561.  
To be issued Restaurant On-Premise Cocktail Lounge License #1520703 pursuant to RSA 178:22.  
30-Day Temporary License issued: 12/21/2015.
- f. Ma's an Mine Northwood Tavern LLC, 758 First NH Turnpike, Northwood, NH 03261.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1521003  
pursuant to RSA 178:21.  
30-Day Temporary License issued: 12/16/2015.
- g. Osaka Hibachi & Chinese Restaurant, Inc., 416 Emerson Avenue #3, Hampstead, NH 03841.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1518003  
pursuant to RSA 178:21.  
30-Day Temporary License issued: 12/24/2015.
- h. Shree Hari, Inc. DBA Pick N Pay Food Mart, 803 Lafayette Road, Portsmouth, NH 03801.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3339447

pursuant to RSA 178:18 & RSA 178:19-a.  
30-Day Temporary License issued: 12/18/2015.

- i. Taproot Farm & Environmental Education Center, Inc. DBA Root Seller Marketplace (The), 77 Main Street, Lancaster, NH 03584.  
To be issued Combination Off-Premise Beverage and Wine License #3328147 pursuant to RSA 178:18.
- j. Tradex USA Corporation DBA New York Smoke & Vape Shop, 132 Loudon Road, Concord, NH 03301.  
To be issued Retail Tobacco, Tobacco Only License #136817 pursuant to RSA 178:19-a.  
30-Day Temporary License issued: 12/16/2015.
- k. Twenty Eight Hundred Lafayette, Inc. DBA Beach Plum (The), 3 Brickyard Square, 24 Calef Highway, Epping, NH 03042.  
To be issued Restaurant On-Premise Beverage and Wine License #1520803 pursuant to RSA 178:20.
- l. Winter Worx LLC DBA Wellington Room (The), 67 Bow Street #2, Portsmouth, NH 03801.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1506603 pursuant to RSA 178:21.  
30-Day Temporary License issued: 12/15/2015.

**5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**6. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING DECEMBER 28, 2015: 1,151**

- a. Artisan Wines of California DBA La Rochelle Wines, 233 Adobe Canyon Road, Kenwood, CA 95452.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- b. Belfast Bay Brewing Co., Inc., 14 Cliff Avenue, Belfast, ME 04915.  
To be issued Beverage Vendor License #74931 pursuant to RSA 178:15.  
Manufacturer: Belfast Bay Brewing.
- c. Great American Wineries, Inc. DBA Chateau Julien, 2511 Garden Road, Suite B-100, Monterey, CA 93940.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- d. Twin Ridge Estates LLC DBA Trattore Wines, 7878 Dry Creek Road, Geyserville, CA 95441.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- e. Two Roads Brewing Company LLC, 1700 Stratford Avenue, Stratford, CT 06615.  
To be issued Beverage Vendor License #76031 pursuant to RSA 178:15.  
Manufacturer: Two Roads Brewing Company.

**7. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

**8. NOTIFICATION OF APPROVED PETITIONS:**

- a. Aito LLC DBA Wing-Itz, 2100 Lafayette Road, Portsmouth, NH 03801.  
Restaurant On-Premise Beverage and Wine License #1521203 licensed pursuant to RSA 178:20.  
Date petition received: 12/23/2015.  
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 26 pursuant to RSA 178:24 and Liq. 404.05.
- b. Doogie's LLC DBA Doogie's, 37 Manchester Street, Manchester, NH 03101.  
Restaurant On-Premise Beverage/Wine/Liquor License #1451403 licensed pursuant to RSA 178:21.  
Date petition received: 12/14/2015.  
Requested a waiver of RSA 178:21, II, a (2) for authorization of extension of hours, to wit, to extend the hours of operation on January 1, 2016 to 1:30 am with glasses off the table at 2:00 am as indicated in a letter dated December 12, 2015.
- c. Galley Hatch Restaurant, Inc. DBA Galley Hatch, Route 1 Winnacunnet Road, Hampton, NH 03842.  
Restaurant On-Premise Cocktail Lounge License #297703 licensed pursuant to RSA 178:22.  
Date petition received: 12/10/2015.  
Requested approval for authorization of other areas, to wit, an additional upstairs area with a capacity of 68 pursuant to RSA 178:24 and Liq. 404.05.
- d. Kelsen Brewing Company LLC, 80 North High Street, Unit 3, Derry, NH 03038.  
Beverage Manufacturer License #289918 licensed pursuant to RSA 178:12.  
Date petition received: 12/11/2015.  
Requested approval for authorization of other areas, to wit, additional units 1 & 2 for fermentation, finished product storage, bottling/packaging and general storage areas with the front portion used for office space pursuant to RSA 178:24 and Liq. 404.05.
- e. Sat Kaival, Inc. DBA Windham Variety Store, 123 North Lowell Road, Windham, NH 03087.  
Combination Off-Premise Beverage/Wine/Tobacco License #3165347.  
Licensed pursuant to RSA 178:18 and RSA 178:19-a.  
Date petition received: 12/14/2015.  
Requested permission to transfer alcohol inventory to a new location, to wit, from Windham Variety Store of Windham, License #3165347 to Karunesh & Umiya LLC DBA Hampstead Variety Store of East Hampstead, License #3267047 located at 223 Main Street, East Hampstead, NH 03826 due to the store closing at the Windham location on December 14, 2015 pursuant to their letter dated December 14, 2015 and RSA 178:29, VIII.
- f. Throwback Brewery LLC, 7 Hobbs Road, North Hampton, NH 03862.  
Brew Pub On-Premise Cocktail Lounge License #2002415 licensed pursuant to RSA 178:13.  
Date petition received: 12/1/2015.  
Requested approval for authorization of other areas, to wit, Town of Exeter Winter Farmers' Market at Exeter High School, Exeter, NH between 10:00 am to 2:00 pm on December 12, 2015, January 23, 2016, February 27, 2016, March 26, 2016 and April 23, 2016 pursuant to RSA 178:24 and Liq. 404.05.
- g. Time-Out Sports Bar & Grill LLC, 101 Mulberry Street, Suite D, Claremont, NH 03743.  
Restaurant On-Premise Beverage/Wine/Liquor License #1403303 licensed pursuant to RSA 178:21.  
Date petition received: 12/14/2015.  
Requested a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five days a week on December 24 & 25, 2015, December 31, 2015 and January 1, 2016 as indicated in a letter dated December 14, 2015.
- h. Tolman, Gordon DBA Total Cut, 38C Ashouelot Street, Keene, NH 03431.  
Retail Tobacco License #811317 license pursuant to RSA 178:19-a.  
Date petition received: 3/10/2014.

Requested approval for authorization to transfer business location, to wit, transfer the location from 38C Ashouelot Street, Keene, NH to 174 Emerald Street, Keene, NH on December 18, 2015 pursuant to RSA 178:29, VIII.

**9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

None

**10. NOTIFICATION OF DENIED FELON EXCEPTIONS:**

None

**11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:**

None

**12. NOTIFICATION OF COMPLIANCE CHECKS:**

**Andover:**

Circle K 7247, 718 Main Street, Andover, NH.

Combination Off-Premises Beverage/Wine/Tobacco #3218747 licensed pursuant to RSA 178:18/126-K:4.

Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.

Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.

Date of violations: November 28, 2015.

Case #: 15-446-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.

**13. COMMISSION DECISIONS PENDING AFTER HEARING:**

Jade Palace, 28 Portsmouth Avenue, Stratham, NH.

Restaurant Full Service With Lounge License #1451603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).

Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.

Dates of violations: October 13, 2014 & December 28, 2014.

Case #s: 14-400-OF & 15-7-OF.

HEARING WAS HELD SEPTEMBER 17, 2015.

OCTOBER 1, 2015, THE COMMISSION ISSUED ITS DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING; LICENSEE'S OBJECTION TO SGT. EMERSON'S AND SGT. CALL'S TESTIMONY IS DENIED; OBJECTION TO INVESTIGATOR MONE'S TESTIMONY IS DENIED; AND OBJECTION TO EXCLUDE POLICE AND INCIDENT REPORTS AS WELL AS A LICENSEE'S VIOLATION HISTORY AS EXHIBITS IS GRANTED.

THE DOE FILED AN OBJECTION TO THE DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING.

RESPONSE TO OBJECTION TO NOTICE OF DECISION AND ORDER FILED BY THE LICENSEE.

11/24/15, NOTICE OF DECISION REGARDING DOE'S OBJECTION AND FINAL DECISION AND ORDER ISSUED BY THE COMMISSION; RECOMMENDED PENALTIES REQUESTED OF BOTH PARTIES BY 12/2/15;

ASSENTED-TO MOTION TO EXTEND DEADLINE FOR RECOMMENDED PENALTIES FILED BY THE LICENSEE AND GRANTED BY THE COMMISSION; RECOMMENDATIONS ARE DUE BY 12/10/15.

DECISION DATED 12/11/15 - A FINE OF \$2,000 IS IMPOSED WITH \$1,000 HELD IN ABEYANCE FOR A PERIOD OF ONE YEAR ON THE CONDITION OF NO LIKE VIOLATIONS. THE FINE OF \$1,000 SHALL BE

PAID WITHIN 30 DAYS; A SUSPENSION OF 10 DAYS IS IMPOSED WITH 8 DAYS HELD IN ABEYANCE FOR A PERIOD OF 12 MONTHS ON THE CONDITION OF NO LIKE VIOLATIONS. THE IMPOSED SUSPENSION SHALL COMMENCE AT 12:00 A.M. ON DECEMBER 21, 2015 WITH A RE-GRANT ON DECEMBER 23, 2015 AT 12:00 A.M.; FOUR POINTS SHALL BE ASSESSED TO LIQUOR LICENSE #1476403; ALAN YANG SHALL CONTACT THE TRAINING UNIT WITHIN 10 DAYS TO SCHEDULE ATTENDANCE AT A MANAGEMENT TRAINING SEMINAR (MTS) NO LATER THAN JANUARY 30, 2016; AND JASON YANG SHALL CONTACT THE TRAINING UNIT WITHIN 10 DAYS TO SCHEDULE ATTENDANCE AT A TOTAL EDUCATION IN ALCOHOL MANAGEMENT (TEAM) SEMINAR NO LATER THAN JANUARY 30, 2016.

**MOTION TO STAY PENALTY FILED BY LICENSEE ON DECEMBER 21, 2015.**

**14. NOTIFICATION OF HEARING RESULTS:**

None

**15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

- a. Applecrest Farm Bistro LLC, 133 Exeter Road, Hampton Falls, NH 03844.  
Restaurant On-Premise Beverage/Wine/Liquor License #1503403 licensed pursuant to RSA 178:21.  
Date petition received: 12/11/2015.  
Requests exception to RSA 178:27, III, to wit, for authorization to purchase wine from Direct Shipper Zero Link Markets, Inc. DBA Vinoshipper.Com, 228 Windsor River Road, #111, Windsor, CA 95492, Permit #8102033, pursuant to RSA 178:32, III.
- b. Applecrest Farm Bistro LLC, 133 Exeter Road, Hampton Falls, NH 03844.  
Combination Off-Premise Beverage and Wine License #3326747 licensed pursuant to RSA178:18.  
Date petition received: 12/11/2015.  
Requests exception to RSA 178:27, III, to wit, for authorization to purchase wine from Direct Shipper Zero Link Markets, Inc. DBA Vinoshipper.Com, 228 Windsor River Road, #111, Windsor, CA 95492, Permit #8102033, pursuant to RSA 178:32, III.
- c. Nicholas James Wells, MA3, Pease Naval Shipyard, Portsmouth, NH 03801.  
Military serviceman wishes to import his collection of alcohol to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175.6.  
Recommendation: Approval.
- d. River House Atlantic Grill (The) LLC DBA Atlantic Grill, 5 Pioneer Road, Rye, NH 03870.  
Restaurant On-Premise Beverage/Wine/Liquor License #1495403 licensed pursuant to RSA 178:21.  
Date petition received: 12/15/2015.  
Requests exception to RSA 178:27, III, to wit, for authorization to purchase wine from Direct Shipper Salmon Falls Winery, 22 Academy Street, South Berwick, ME 03908, Permit #8218733, pursuant to RSA 178:32, III.

**16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

Li, Qinpeng DBA A1 Japanese Steakhouse, 300 North Main Street, Unit A, Rochester, NH 03867.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1518203 pursuant to RSA 178:21.  
Recommendation: Expedited approval.  
Commission approved on 12/21/2015.